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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,614	09/10/2003	Michael R. Smith	CIS0196US	5551

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EXAMINER

CHAI, LONGBIT

ART UNIT	PAPER NUMBER
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2131

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/659,614	SMITH, MICHAEL R.	
	Examiner	Art Unit	
	Longbit Chai	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 55-74 is/are pending in the application.
- 4a) Of the above claim(s) 14-32, 75-86 and 99-110 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 55-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/8/2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Election of Restriction Requirement

1. Applicant's election of Group II filed on 3/9/2007 with respect to restriction requirement mailed on 12/5/2006 is acknowledged and accordingly, this Office Action only addresses the claimed inventions of Group I as elected by Applicant. The elected claims of **Group II: claims 55 – 74.**

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

1. Claims 55, 65 and 70 are rejected under 35 U.S.C. 101 because the claimed subject matter is merely manipulating / generating an access control list (i.e. a collection of data indicators); however, what to do with the access control list as an invention subject matter in order to produce a tangible result in the real world is not recited in the claim and as such the claims are merely directed to non-statutory subject matters and it would not be eligible for patentability because it would be eligible for patentability if a practical application was present that produced a useful, concrete and tangible result upon execution of the instructions, according to MPEP §7.05.01. All dependent claims are rejected to as having the same deficiencies as the claims they depend from.

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2. Claims 65 – 69 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter where a computer program product is encoded in a computer readable medium, as recited in the claim, may be reasonably interpreted as being not limited to computer storage medium, for example, as referred to in Specification of the instant application (SPEC: Page 24, Para [0091]) as being intended to include data transmission media that include carrier wave which "bears" instructions as claimed. Such embodiments of the "manufacture" are not computer elements which define structural and functional interrelationships between the instructions and the rest of the computer that permit the functionality of the instructions to be realized. For clarity purpose, Examiner respectfully suggests an amendment of the claim language from "a computer readable medium" to "a computer storage medium".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 55 – 60, 62, 63, 65 – 68 and 70 – 73 are rejected under 35 U.S.C. 102(b) as being anticipated by Shannon et al. (U.S. Patent 6,233,618).

As per claim 55, Shannon teaches method comprising:

populating an access control list with a destination user group identifier, wherein said destination user group identifier identifies a destination user group of a destination (Shannon: Column 8 Line 25 – 29, Column 7 Line 58 – 65, Column 8 Line 49 – 62 and Column 9 Line 32 – 42: the group / category restricted destination database (as in Table 2) is qualified as an access control list with a destination user group identifier as a destination category identifier (e.g. the destination server IP address 12.34.105.23 (or a URL) corresponds to a group category identifier “1”) and SNMP protocol can be used to populate this group / category restricted destination database onto the agent network device).

As per claim 65, Shannon teaches a computer program product comprising:

a first set of instructions, executable on a computer system, configured to populate an access control list with a destination user group identifier, wherein said destination user group identifier identifies a destination user group of a destination (Shannon: Column 8 Line 25 – 29, Column 7 Line 58 – 65, Column 8 Line 49 – 62 and Column 9 Line 32 – 42: the group / category restricted destination database (as in Table 2) is qualified as an access control list with a destination user group identifier as a destination category identifier (e.g. the destination server IP address 12.34.105.23 (or a URL) corresponds to a group category identifier “1”) and SNMP protocol can be used to populate this group / category restricted destination database onto the agent network device); and

computer readable media, wherein said computer program product is encoded in said computer readable media (Shannon: Column 6 Line 8 – 12).

As per claim 70, Shannon teaches an apparatus comprising:

means for populating an access control list with a destination user group identifier, wherein said destination user group identifier identifies a destination user group of a destination (Shannon: Column 8 Line 25 – 29, Column 7 Line 58 – 65, Column 8 Line 49 – 62 and Column 9 Line 32 – 42: (a) the group / category restricted destination database (as in Table 2) is qualified as an access control list with a destination user group identifier as a destination category identifier (e.g. the destination server IP address 12.34.105.23 (or a URL) corresponds to a group category identifier “1”) and SNMP protocol can be used to populate this access control list (i.e. group / category restricted destination database) onto the agent network device (b) Examiner notes “means for populating an access control list” with the corresponding structure described in the specification and equivalents is considered as that populating is performed at a network device by sending a request message to another network device, and receiving a response message from another network device to match the claim language).

As per claim 56, Shannon teaches said destination user group is assigned to said destination based on a role of said destination (Shannon: Column 8 Line 35 – 67: the destination server IP address 213.56.23.12 (or a URL) corresponds to (or belongs

to) a group category identifier "1" that is responsively managing the home page of a bar, brewery, or other drinking establishment – i.e. alcohol related resources).

As per claim 57, Shannon teaches said populating is performed by a network device and comprises sending a request to another network device, and receiving a response from said another network device, wherein said response includes said destination user group identifier, and said destination user group identifier identifies said destination user group (Shannon: Column 9 Line 32 – 42: SNMP request and response messages can be used to populate this access control list (i.e. group / category restricted destination database) onto the agent network device).

As per claim 58, 66 and 71, Shannon teaches comparing a user group of a packet with said destination user group (Shannon: Column 6 Line 33 – 47 and Column 7 Line 58 – 65 and Column 14 Line 10 – 15 & Figure 4: a user group is interpreted as a source user group and the comparing is made for performing access control to determine whether the permission can be granted between a pair of a source group and a destination group that is also consistent with the specification of the instant application).

As per claim 59, 67 and 72, Shannon teaches said user group of said packet is a source user group, said destination user group is a user group of a destination of said

packet, and said destination is said destination of said packet (Shannon: Column 13 Line 52 – 61, Column 13 Line 66 – Column 14 Line 5 and Column 14 Line 10 – 15).

As per claim 60, Shannon teaches said source user group is assigned to a source of said packet based on a role of said source (Shannon: Column 6 Line 33 – 47: a role-based source user group is identified), and said destination user group is assigned to said destination based on a role of said destination (Shannon: Column 8 Line 35 – 67: the destination server IP address 213.56.23.12 (or a URL) corresponds to (or belongs to) a group category identifier “1” that is responsively managing the home page of a bar, brewery, or other drinking establishment – i.e. alcohol related resources).

As per claim 62, 68 and 73, Shannon teaches determining said source user group (Shannon: Figure 4 / Element 201 / 202 / 203: a source user group is indicated by a source user group identifier also by using a look-up table); and determining said destination user group by looking up said destination user group in an access control list (Shannon: Figure 4 / Element 207 & 208 and Column 14 Line 16 – 25: a look-up table is used to identify the destination group / category identifier based on the destination IP address in a group / category restricted destination database (i.e. access control list)).

As per claim 63, Shannon teaches said access control list is a role-based access control list (Shannon: Column 6 Line 33 – 47 and Column 7 Line 62 – 66: a role-based user group is identified)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 61, 64, 69 and 74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shannon et al. (U.S. Patent 6,233,618), in view of Li (U.S. Patent 6,711,172).

As per claim 61, Shannon teaches said destination user group is indicated by a destination user group stored in a network device receiving said packet (Shannon: Figure 4 / Element 207 & 208 and Column 14 Line 16 – 25: a look-up table is used to identify the destination group / category identifier based on the destination IP address) and said source user group is indicated by a source user group identifier (Shannon: Figure 4 / Element 201 / 202 / 203: a source user group is indicated by a source user group identifier also by using a look-up table). However, Shannon does not teach a source user group identifier stored in said packet.

Li teaches a source user group identifier stored in said packet (Li: Column 4 Line 8 – 13: a pair of group / source address on the packet is used to route the packet).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Li within the system of Shannon because (a) Shannon teaches a means to identify a source user group by using a look-up table to match a source address with a source group identifier at a proxy-server network device and use Internet Group Message Protocol (IGMP) for requesting to join a specific multicast group (Shannon: Figure 4 / Element 201 / 202 / 203, Column 12 Line 46 – 52 and Column 13 Line 66 – Column 14 Line 5) and (b) Li teaches proposing a more efficient method routing the packet from a source to group members under the IGMP management by using an enhanced Protocol Independent Multicasting (PIM) techniques (Li: Column 3 Line 34 – 42 / Line 20 – 23 / Line 1 – 4 and Column 4 Line 8 – 13).

As per claim 64, 69 and 74, Shannon teaches said source user group identifier identifies said source user group (Shannon: Figure 4 / Element 201 / 202 / 203). However, Shannon does not teach extracting a source user group identifier from said packet.

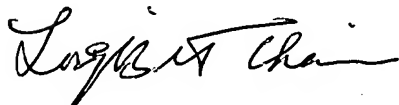
Li teaches extracting a source user group identifier from said packet (Li: Column 4 Line 8 – 13: a pair of group / source address on the packet is used to route the packet and thereby, a source user group identifier can thus be extracted from the packet accordingly). See same rationale of combination applied herein as above in rejecting the claim 61.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Longbit Chai, Ph.D.
Patent Examiner
Art Unit 2131
4/1/2007